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LETTER DATED 5 AUGUST 1992 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to call your attention to the behaviour and public statements of certain American elements participating in the inspection teams of the Special Commission and the International Atomic Energy Agency (IAEA) operating in Iraq. They clearly reflect a lack of impartiality on the part of the inspectors in question and their departure from the mandate laid down in Security Council resolution 687 (1991), and they also illustrate the anti-Iraqi political objectives that underlie their assignment to these duties.

In our letter dated 31 October 1991 addressed to the Secretary-General and the President of the Security Council (document S/23197), we drew attention to the testimony of a French expert who participated in the second nuclear inspection team, headed by the American intelligence officer David Kay, as reported in the French newspaper Libération in its issue for 22 October 1991. Concerning his American colleagues in the team, the expert stated that they were apparently American CIA agents who were working more on behalf of the CIA than on behalf of the United Nations. Regrettably, David Kay was again assigned to head a team, the sixth nuclear inspection team. On that occasion too he demonstrated that he was not an impartial inspector operating on instructions from the United Nations and in accordance with its mandate but was performing the task entrusted to him by American intelligence. He proceeded to transmit the Iraqi documents obtained directly to Washington and not to the United Nations. Ambassador Ekéus, the Executive Chairman of the Special Commission, admitted as much in his statement of 30 September 1991, when he said that Washington had received particular information from David Kay concerning the Iraqi documents before it was received by the United Nations.

When his true functions could no longer be concealed, David Kay was dismissed by IAEA in a dramatic manner. He nevertheless continued to make inflammatory statements against the people of Iraq, thereby underscoring all of the legitimate questions concerning the principles on which the inspectors of the Special Commission and IAEA were selected, particularly the Americans.

In its issue for Sunday, 26 July 1992, The Washington Post published an article by David Kay in which he urged the United States military to use force to close the road between Amman and Baghdad and to destroy the electric power grid in Iraq.

David Kay's call for crimes and acts of aggression in violation of all international covenants and humanitarian law to be committed in order to inflict harm and starvation on the people of Iraq and destroy the remainder of the country is a further increment in the behaviour and public statements of other Americans who have been employed in the inspection teams. The most recent such example is that provided by Major Karen Jansen, Chief Inspector with the UNSCOM 39 inspection team, who was entrusted with the task of fabricating the crisis at the premises of the Ministry of Agriculture and Irrigation and who said, in a statement made on 11 July 1992, that she would have been most proud to have served in the coalition forces opposing Iraq during the Gulf crisis.

These and many other evidentiary facts entail for those charged with implementing the tasks assigned to United Nations bodies a responsibility to derive the true lessons from these practices with a view to preserving the credibility and independence of the Organization.

I am transmitting to you herewith a copy of the article by David Kay referred to above.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Abd al-Amir AL-ANBARI
Ambassador
Permanent Representative

Annex

David A. Kay

Report From an Inspector/Hostage

The United Nations must show it can meet the challenges of the post-Cold War world.

It was only last September that a United Nations inspection team that I led, having seized documentary evidence of Iraq's secret nuclear weapons program, found itself held hostage for four days in a Baghdad parking lot. On that occasion the determination and unity of the Security Council and the perseverance of the team resulted in a successful outcome—the team was finally safely released by the Iraqis and with more than 60,000 pages of documents in hand proving, in Iraq's own words, the extent of its nuclear ambitions.

The rooting out of the Iraqi nuclear program took on a new air of urgency. Beyond the immediate impact of the parking lot siege, that event—as it was on a worldwide media and diplomatic stage—gave a tremendous lift to the prestige of the U.N. and to the expectations of what a reinvigorated Security Council might accomplish in dealing with the increasingly dangerous debris left by the end of the Cold War. There was a surge of pride, accomplishment and expectations among personnel serving on U.N. missions worldwide that at last they were being backed up by governments in their often hazardous, frustrating and unrecognized efforts to carry out peacekeeping and humanitarian tasks.

In the period since last September, the surge of new tasks assigned to the U.N.—Cambodia, Yugoslavia, Somalia—seemed to indicate that the optimism born in that Baghdad parking lot was justified. Governments have been indicating that they believe the United Nations is both necessary and capable of meeting the challenges posed by the breakdown of the old international order and can provide the discipline necessary for a new, more secure international framework. Indeed, many of us who have spent our professional lifetimes working for multilateral security and economic arrangements have been heard to murmur that governments are becoming decidedly too free in assigning new tasks to the United Nations without providing it with the necessary resources to carry out those tasks.

For my part, I have taken the view that while U.N. resources should be increased, the essential requirement is that the Security Council must clearly indicate that when it orders U.N. actions—whether it be in Iraq, Yugoslavia or Cambodia—it will back its representatives up by collective and unilateral action if they are frustrated in their activities by local authorities. If that essential ingredient is not there—as it was during the car park siege—then no amount of additional resources will be adequate to sustain the U.N.'s role.

It is in this context that I believe events outside the Iraqi Ministry of Agriculture must be assessed and action must now be taken. The Iraqi authorities have displayed disgusting behavior that is clearly in violation the cease-fire arrangements that ended the gulf war and U.N. Security Council Resolution 687. If they are allowed to get away with this, we will never know the full extent of their weapons programs and we will be unable to monitor Iraqi compliance with the agreement not to rebuild such capabilities. Equally important, other local authorities faced with U.N. mandates will realize that they too can, if they chose their time wisely, threaten U.N. staff and walk away from Security Council mandates.

What is to be done? A first step would be to use the necessary power to enforce the existing sanctions. I have always told friends that I felt I was at risk on the Amman-Baghdad highway than I did in the Baghdad parking lot. The truck traffic that runs steadily day and night would test the skills of the most experienced Beltway driver. If the Jordanians will

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not close this off voluntarily, then surely the U.S. military can and should do it.

Second, the Iraqis should be informed that unless there is immediate full and final compliance with all aspects of Resolution 687, then the necessary military actions will be taken to bring the nationwide electric grid down and to keep it down until they comply. It is marvelous testimony to the engineering and managerial skill of the Iraqis that they have been able to largely reconstruct this grid after the war. They take deserved pride in this because they recognize that without this grid the regime probably would not have been able to survive this long. The Iraqis, more than most Americans, understand the technical ingenuity and skill that the coalition military displayed in initially taking out the grid and recognize the ease with which this can be again accomplished.

Again, what is at stake is not just Iraq, as important as I believe it to be to ensure that it complies with the requirements of the terms that ended the gulf war. What is at stake is the authority of the Security Council to develop the framework that will allow the world that is emerging from the Cold War to have some degree of assurance that the future will indeed be different from the past. There is much that has been accomplished toward this objective, and many brave men and women wearing blue U.N. berets are risking their lives to aid this progress. But unless governments back up these efforts when tyrants throw down the gauntlet, then there is little that will be accomplished and much to fear for.

The writer headed three inspection teams in Iraq. He is secretary-general of the Uranium Institute, an industrial association concerned with peaceful uses of nuclear energy.